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Error to Circuit Court of Prince William County.

Proceeding to contest a will by A. O. Portner and others against the executors of Paul V. Portner and others. From a judgment admitting the will to probate, contestants bring error. Writ of error dismissed.

*I. L. Costigan*, of Washington, D. C., *John L. Lee*, of Lynchburg, *Thos. H. Lion*, of Manassas, and *R. E. Byrd*, of Richmond, for plaintiffs in error.

*H. T. Davies*, of Manassas, *Eppa Hunton, Jr.*, of Richmond, and *John S. Barbour*, of Fairfax, for defendants in error.

THRIFT *v.* COMMONWEALTH.

June 15, 1922.

[112 S. E. 770.]

**1. Time (§ 9 (7)\*)—Date of Final Judgment Is Counted in the 60 Days within Which Bill of Exceptions Must Be Filed.**—The date on which the final judgment in a criminal case was rendered is to be counted as one of the 60 days within which the bill of exceptions must be filed, as prescribed by Code 1919, § 6252, so that a bill of exceptions signed on December 30, where the final judgment was pronounced on October 31, was signed on the sixty-first day.

[Ed. Note.—For other cases, see 5 Va.-W. Va. Enc. Dig. 387.]

**2. Criminal Law (§ 1092 (7)\*)—Trial Judge Is without Jurisdiction to Sign Bill of Exceptions after 60 Days Have Expired.**—The trial judge was without jurisdiction to sign a bill of exceptions after the expiration of the 60 days after the final judgment of conviction for a crime.

[Ed. Note.—For other cases, see 5 Va.-W. Va. Enc. Dig. 392.]

Error to Circuit Court, Arlington County.

Clifton Thrift was convicted of a violation of the liquor law, and he brings error. Writ of error dismissed.

*T. Morris Wampler*, of Washington, D. C., for plaintiff in error.

*John R. Saunders, Atty. Gen.*, for the Commonwealth.

SORROS *v.* COMMONWEALTH.

June 15, 1922.

[112 S. E. 771.]

**1. Criminal Law (§ 1092 (7)\*)—Bills of Exceptions, Not Signed within Time Required, are Not Part of the Record.**—Bills of exceptions, which were not signed within 60 days after the judgment of

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\*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.